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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC  
SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF DENTISTRY  
DOCKET NO.

In the Matter of	)	
	)	Administrative Action
H. ROBERT LEVIN, D.M.D.	)	
	)	CONSENT ORDER
Licensed to Practice Dentistry)		
in the State of New Jersey	)	
_____	)	

This matter was opened to the State Board of Dentistry ("Board") upon receipt of information from the Enforcement Bureau, Division of Consumer Affairs (Professional Boards), concerning allegations of inappropriate prescribing of controlled dangerous substances for a patient with whom respondent had a relationship and personal recreational use of a Schedule I Controlled Substance. The Board thoroughly reviewed the record in this matter including the Enforcement Bureau reports and an evaluation by a Board appointed psychological consultant.

In order to resolve this matter without recourse to formal proceedings and for good cause shown;

IT IS ON THIS 15<sup>th</sup> DAY OF May, 1996,

HEREBY ORDERED AND AGREED THAT:

1. Respondent shall successfully complete the mini-residency entitled "The Proper Prescribing of Controlled Dangerous

Substances" offered by Dr. William Vilensky and co-sponsored by Kennedy Memorial Hospital-University Medical Centers. Respondent shall be required to complete this course within one (1) year from the entry date of this Order. Upon completion of the course, respondent shall present to the Board, in writing, a certificate of successful completion of the course signed by Dr. Vilensky or his designee.

2. Respondent shall enroll in the New Jersey Dental Association Chemical Dependency Program (CDP) and shall comply with a monitoring program supervised by CDP for the sole purpose of urine monitoring. Respondent shall have his urine monitored under the supervision of the CDP on a random, unannounced basis, twice monthly. The urine monitoring shall be conducted with direct witnessing of the taking of the samples either from a volunteer or \_\_\_\_\_ drug clinic staff as arranged and designated by the CDP. The initial drug test shall utilize appropriate screening techniques, and all confirming tests and/or secondary tests shall be performed by gas chromatography/mass spectrometry (GC/MS). The testing procedure shall include a forensic chain of custody protocol to ensure sample integrity and to provide documentation in the event of a legal challenge. The CDP shall be responsible to assure that all urine samples are handled by a laboratory competent to provide these services.

All test results shall be provided in the first instance directly to the CDP, and any positive result shall be reported immediately by the CDP to Agnes Clarke, Executive Director of the


Board, or her designee in the event she is unavailable. The Board also will retain sole discretion to modify the manner of testing in the event technical developments or individual requirements indicate that a different methodology or approach is required in order to guarantee the accuracy and reliability of the testing.

Any failure by the respondent to submit or provide a urine sample within twenty-four (24) hours of a request shall be deemed to be equivalent to a confirmed positive urine test. In the event the respondent is unable to appear for a scheduled urine test or provide a urine sample due to illness or other impossibility, consent to waive that day's test must be secured from Dr. Frederick Rotgers or Dr. Barbara McCrady of the CDP. Neither the volunteer nor drug clinic staff shall be authorized to consent to waive a urine test. In addition, the respondent shall provide the CDP with written substantiation of his inability to appear within two (2) days after permission is granted to waive a test, e.g., a physician's report attesting that he was so ill that he was unable to provide the urine sample or appear for the test. The CDP shall advise the Board of every instance where a request has been made to waive a urine test together with the program's determination in each such case.

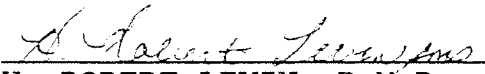
Respondent shall be required to place a telephone call to Agnes Clarke, Executive Director of the Board (or her designee), on the first business day of any month when he has not been called by or has not in fact provided to the CDP one urine sample during the immediate preceding thirty (30) days. Further, respondent shall

advise Agnes Clarke immediately in the event he is notified by the CDP that a urine test will not be made for a period of fourteen (14) days or longer for any reason whatsoever including, but not limited to, vacations, office closures or illness. In such instances respondent agrees to submit, at his cost, to a urine test at an independent facility upon the express direction of the Board.

3. Respondent is hereby assessed the costs to the State in this matter in the amount of \$3,324.69. Said costs shall be submitted by certified check or money order made payable to the State of New Jersey and mailed to the Board of Dentistry at 124 Halsey Street, Sixth Floor, Newark, New Jersey 07102, no later than the first day of the month following the entry date of this Order.

  
\_\_\_\_\_  
SAMUEL FURMAN, D.D.S.  
PRESIDENT  
STATE BOARD OF DENTISTRY

I have read and understand  
the within Order and agree  
to be bound by its terms.  
Consent is hereby given to  
the Board to enter this Order.

  
\_\_\_\_\_  
H. ROBERT LEVIN, D.M.D.